

Approved

**City of York Planning Commission
September 26, 2022
Minutes**

Members present:

Chairperson Wendy Duda
Maria Duncan
A. Lee McLin
Ron Parrish
Laura Korn
Marissa Harris
Rick Thomasson

Members absent:

Others present:

Planning Director Breakfield
Zoning Administrator Blackston
(see sign-in sheet)

The first item of business was Chairperson Wendy Duda calling the meeting to order at 6:00 pm.

The second item of business was approval of the draft Minutes from the August 29, 2022 regular meeting.

Upon a Motion by Maria Duncan, seconded by Ron Parrish, the Commission unanimously approved the draft Minutes as submitted.

For the third item of business, Chairperson Wendy Duda opened the floor for comments from the public on agenda items. It was noted that no comments from the public were received regarding any of the agenda items.

The fourth item of business was discussion only of special exception and rezoning applications for the Ratliff Heights single-family detached residential subdivision to be located at the intersection of Kings Mountain Street and Carroll Avenue.

Planning Director Breakfield indicated the following:

- a. **At this meeting, the applications will be presented as information only and no action will be taken. After receiving City staff and PC feedback, the applicant will present the applications for action at a subsequent meeting.**
- b. The City has received applications to rezone property as described in the provided information.

As with any rezoning an application, the Planning Commission (PC) must review the application and then render a recommendation to York City Council. As the rezoning application is reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan must be used in the evaluation process. City Council must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

- c. In an R5 – Multifamily Residential Zoning District, single-family dwelling subdivisions are allowed only by special exception approval. The City received special exception applications and conceptual site plans for the noted single-family dwelling subdivisions to be located as described in the provided information.

Any recommendation for approval of a special exception application and conceptual site plan must be contingent on York City Council ultimately approving the requested R5 – Multifamily Residential zoning designation for the properties.

As the special exception applications and conceptual site plans are reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan must be used in the evaluation process and that the following factors must be addressed in the decision-making process:

- The proposed design and location of the particular development.
- The possible traffic-generating characteristics of the proposed development.
- The effects of the proposed development on the present or intended character of the area in which it is proposed for location.
- The availability of public utilities, facilities and services.

As with any special exception application, the PC must review each application and then render a recommendation to the Board of Zoning Appeals (BZA). The BZA must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

- d. Action must be taken separately regarding the rezoning and special exception applications.
- e. Please be mindful that the PC has a maximum of 75 days from the initial official meeting regarding these applications to review and make recommendations regarding such applications.
- f. If York City Council ultimately denies a rezoning application, such application cannot be resubmitted for at least one year.

Joe Lesch presented the proposed Ratliff Heights subdivision to the Planning Commission and gave each Planning Commission member a handout that included a conceptual site plan and pictures of the property with details of the subdivision plan.

After discussion and by affirmation, the Commission unanimously requested that the developer include the PC feedback, along with any staff feedback, in the next submittal.

The fifth item of business was discussion only of a special exception and rezoning application for Rose Street Subdivision single-family detached residential subdivision to be located near Hunter Street and Williams Street.

Planning Director Breakfield indicated the following:

- a. **At this meeting, the applications will be presented as information only and no action will be taken. After receiving City staff and PC feedback, the applicant will present the applications for action at a subsequent meeting.**
- b. The City has received an application to rezone property as described in the provided information.

As with any rezoning application, the Planning Commission (PC) must review the application and then render a recommendation to York City Council. As the rezoning application is reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan must be used in the evaluation process. City Council must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

- c. In an R5 – Multifamily Residential Zoning District, single-family dwelling subdivisions are allowed only by special exception approval. The received special exception applications and conceptual site plans for the noted single-family dwelling subdivisions to be located as described in the provided information.

Any recommendation for approval of a special exception application and conceptual site plan must be contingent on York City Council ultimately approving the requested R5 – Multifamily Residential zoning designation for the properties.

As the special exception applications and conceptual site plans are reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan must be used in the evaluation process and that the following factors must be addressed in the decision-making process:

- The proposed design and location of the particular development.
- The possible traffic-generating characteristics of the proposed development.
- The effects of the proposed development on the present or intended character of the area in which it is proposed for location.
- The availability of public utilities, facilities and services.

As with any special exception application, the PC must review each application and then render a recommendation to the Board of Zoning Appeals (BZA). The BZA must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

- d. Action must be taken separately regarding the rezoning and special exception applications.

- e. Please be mindful that the PC has a maximum of 75 days from the initial official meeting regarding these applications to review and make recommendations regarding such applications.
- f. If York City Council ultimately denies a rezoning application, such application cannot be resubmitted for at least one year.

Chris Wood and Amy Hutchins presented the proposed Rose Street subdivision to the Planning Commission that included details regarding square footage, architectural features, amenities and more.

After discussion and by affirmation, the Commission unanimously requested that the developer include the PC feedback, along with any staff feedback, in the next submittal.

The sixth item of business was an application to rezone properties located at 530 Railroad Avenue (2 parcels) from GI – General Industrial to R7 – Residential.

Planning Director Breakfield indicated the following:

1. The Planning Commission (PC) must review each rezoning application and then render a recommendation to York City Council. As the rezoning application is reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan must be used in the evaluation process. City Council must then take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.
2. As you review the rezoning application, please keep in mind the following factors:
 - Does the application comply with the Comprehensive Plan (including the future land-use map)?
 - Would the approval of the proposed rezoning application be in keeping with the character of the subject area?
3. Regarding this application:
 - The City's future land-use map calls for the property to have light-industrial development.
 - The Comprehensive Plan describes light industrial development as generally supporting manufacturing, medical research, and assembly operations. These areas are found in close proximity to major transportation corridors such as highways and railroads and are generally separated from surrounding development or transitional uses.
 - The subject property is located adjacent to nearby residentially and industrially-used and -zoned properties (GI and R7 zoning districts).
 - Significant flood hazard areas exist on the properties.

After discussion and by affirmation, the Commission unanimously tabled action until a subsequent meeting until the applicant could be present to answer questions about the property and application.

The seventh item of business was a preliminary plat application for the Bellina single-family detached residential subdivision off of Hunter Street near Hunter Street Elementary School.

Planning Director Breakfield indicated the following:

- Previously, the Board of Zoning Appeals approved a special exception application and conceptual site plan for this project. The next step in the process is the creation and submittal of a preliminary plat and construction drawings that comply with the approved conceptual site plan.
- At the last two PC meetings, you reviewed the preliminary plat and construction drawing submittal for the project and then requested certain revisions noted in the provided Minutes.
- The applicant has submitted the attached preliminary plat submittal with a request for conditional approval based on SCDOT, SCDHEC, York County Addressing, City of York Fire and Utilities Departments, etc. ultimately approving pertinent aspects of the project.
- City staff has verified compliance with all other previously-mentioned issues. As previously discussed, the location of the community mailbox/parking space area was previously approved by the Planning Commission and Board of Zoning Appeals at the conceptual site plan stage. Based on that approval, the applicant's drawings show the noted infrastructure in the correct location.
- Per the City Attorney, the City cannot require the applicant to move such infrastructure after the conceptual site plan approval.
- Based on maximum review-period requirements, a decision must be rendered at this meeting.
- City staff recommended granting conditional approval of the application based SCDOT, SCDHEC, York County Addressing, City of York Fire and Utilities Departments, etc. ultimately approving pertinent aspects of the project.

Upon a Motion by Maria Duncan, seconded by Marissa Harris, the Commission unanimously approved the preliminary plat application contingent upon all requirements of City staff being met.

The eighth item of business was a preliminary plat application for the McFarland Estates single-family detached residential subdivision at the intersection of Devinney Road and McFarland Road.

Planning Director Breakfield indicated the following:

- Previously, the Board of Zoning Appeals approved a special exception application and conceptual site plan for this project. The next step in the process is the creation and submittal of a preliminary plat and construction drawings that comply with the approved conceptual site plan.
- At the last PC meeting, you reviewed the preliminary plat and construction drawing submittal for the project and then requested certain revisions noted in the attached Minutes.

Please reference the provided written response and revised preliminary plat/construction drawings from the applicant.

- The applicant requested conditional approval of the preliminary plat submittal based on SCDOT, SCDHEC, City of York Fire and Utilities Departments, etc. ultimately approving pertinent aspects of the project.
- City staff recommended granting conditional approval of the application based SCDOT, SCDHEC, York County Addressing, City of York Fire and Utilities Departments, etc. ultimately approving pertinent aspects of the project.

Upon a Motion by Marissa Harris, seconded by Laura Korn, the Commission unanimously approved the preliminary plat application contingent upon all requirements of City staff being met.

The ninth item of business was a preliminary plat application for a 6 – lot duplex project to be located on Kings Mountain Street near Hillcrest Drive.

Planning Director Breakfield summarized the application and the applicant presented and discussed his project with the Commission.

After discussion and by affirmation, the Commission unanimously tabled action on the application and requested that the developer make a few adjustments such as moving the parking to the rear of the homes and removing the garages and bringing the plan, that complies with all comments from City Staff, back to a future meeting for review.

The tenth item of business was a rezoning application for Creekside Townes Planned Unit Development at the intersection of Alexander Love Highway and North Congress Street.

Planning Director Breakfield indicated the following:

- The City has received an application to rezone the referenced property to the Creekside Townes PUD- Planned Unit Development per submitted information at the intersection of Alexander Love Highway and North Congress St. As with any rezoning application, the PC must review the application and then render a recommendation to York City Council. City Council must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.
- As the PUD rezoning application and conceptual site plan are reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan, PUD requirements and precedents established by previous approvals must be used in the evaluation process.
- At your last two meetings, the project was discussed with the applicant with PC feedback included in the attached Minutes.
- Please reference the provided written response from the applicant.
- **The initial PC meeting for this project was held on July 20th. Please be mindful that the PC has a maximum of 75 days from the initial official meeting regarding this application to review and make a recommendation regarding such applications; therefore, this is the last PC meeting within the 75-day timeframe to render a recommendation to York City Council.**

- If York City Council ultimately denies a rezoning application, such application cannot be resubmitted for at least one year.

After much discussion, and upon a Motion by Marissa Harris, seconded by Maria Duncan, the Commission unanimously recommended denial of the project for the following reasons:

1. The minimum front setbacks of 50 feet from North Congress Street and Alexander Love Highway have not been met.
2. Sidewalk, street trees and street lighting shall be provided along North Congress Street and Alexander Love Highway per the City's gateway corridor requirements.
3. The proposed housing density is higher than previously-approved similar projects.
4. The commercial component of the project should be more integrally designed with the residential aspect.
5. The timing of the commercial development should be more definitive.
6. The initially-submitted architectural design for the townhomes on North Congress St was more appropriate.
7. The number/location of parking spaces is not appropriate.

There being no further business, the meeting was adjourned at 8:25 pm.

Respectfully submitted,

C. David Breakfield, Jr. MCP, AICP
Planning Director

Amanda C. Blackston
Zoning Administrator

cc: File – Planning Commission 9/26/2022
Seth Duncan, City Manager